IN THE HIGH OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 5991(S/S)2001
(Old no. 16286/1991)

1. Sri Nihal Singh S/o Sri Surveer Singh,
   R/o village Kharsari, P.O. Garugarh,
   District Uttar Kashi.,
2. Sri Chandra Kishore Bijalwan S/o Sri Ram Lal,
   R/o village Pora, P.O. Gundiyatgaon,
   District Uttar Kashi. ----Petitioners.

Vs.

1. Principal, Govt. Higher Secondary School,
   Garugarh, District Uttar Kashi,
2. District Inspector of Schools, Uttarkashi. ------Respondents.

Sri B.S. Adhikari, learned Counsel for the petitioners and
Sri Paresh Tripathi, learned Standing Counsel for the State of Uttarakhand.

Hon'ble M.M. Ghildiyal, J.

Heard Sri B.S. Adhikari, learned Counsel for the petitioners and Sri Paresh Tripathi, learned Standing Counsel for the State of Uttarakhand.

By means of this writ petition, the petitioners have prayed for the following reliefs:-

(a) Issue a writ, order or direction in the nature of mandamus directing the respondents not to interfere in the peaceful working of the petitioners restraining them from terminating the services of the petitioners,

(b) Issue a writ, order or direction in the nature of certiorari quashing the termination orders alleged to have been passed by the respondent no.2 which have not been served on the petitioner if any and declaring the petitioner to continue on the posts held by them,

(c) Issue any other writ, order or direction which this Hon'ble Court may deem fit and proper in the circumstances of the case,

(d) Award cost of the writ petition to the petitioners.

It is admitted that the petitioners were appointed in the year 1990 as Orderly on ad-hoc basis with the respondents' Department. On 30th April 1991, the petitioners were terminated from their services.

I have perused the record. The petitioners could not show any ground on which a writ of mandamus can be issued directing the respondents to take back the petitioners in their services. There is nothing on record, which may show that the petitioners were appointed on regular basis and an order, based thereupon, may be passed for reinstatement of the petitioners. The petition lacks merit and is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

(M.M. Ghildiyal, J.)

July 30,2007:
NCM: